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## Listing of Claims:

Claims 1-8 (previously cancelled).

Claim 9 (currently amended) A restraint for a passenger in a vehicle comprising:

a seat having a seat portion, a back portion and side portions connected together being formed by placing an enclosure of flexible plastic within a vehicle, placing a passenger of the vehicle atop and adjacent said enclosure while in said vehicle, allowing the flexible plastic to form around the passenger forming a plastic restraint, removing the passenger from the vehicle, causing the plastic restraint to harden, removing the plastic restraint from the vehicle, profiling said plastic restraint, and shaping solid plastic in accordance with the profile of the plastic restraint forming a cavity tailored shaped to form fit around a specific passenger of a vehicle limiting motion of the passenger relative to the vehicle, said seat formed from a plastic having resistance to fire and heat and maintaining its shape when subjected to crash conditions,

a back insert removably mounted to said back portion and replaceable when destroyed during crash; and

said seat is produced from expanded polypropylene;

said seat portion, said back portion and said side portions are integrally connected together in a unitary main body being produced from a single piece of plastic, said back portion includes an opening extending therethrough in which said back insert is ~~foree~~ fitted mounted therein,

and further comprising a back insert removably mounted to said back portion and replaceable when destroyed during crash, said seat is produced from expanded polypropylene.

**Claim 10 (currently amended)** ~~The restraint of claim 9 and further comprising:~~

A restraint for a passenger in a vehicle comprising:

a seat having a seat portion, a back portion and side portions connected together forming a cavity tailored shaped to form fit around a specific passenger of a vehicle limiting motion of the passenger relative to the vehicle, said seat formed from a plastic having resistance to fire and heat and maintaining its shape when subjected to crash conditions,

a back insert removably mounted to said back portion and replaceable when destroyed during crash; and

said seat is produced from expanded polypropylene;

said seat portion, said back portion and said side portions are integrally connected together in a unitary main body being produced from a single piece of plastic, said back portion includes an opening extending therethrough in which said back insert is force fitted mounted therein.

and further comprising a back insert removably mounted to said back portion and replaceable when destroyed during crash, said seat is produced from expanded polypropylene; and,

a leg separator insert including a rib extending into said seat portion mounting said leg separator thereto.

**Claim 11 (original)** The restraint of claim 10 wherein:

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said back insert and said leg separator are produced from expanded polystyrene.

**Claim 12 (original)** The restraint of claim 11 wherein:

said back insert includes a forwardly facing surface and a rearwardly facing surface with said back insert tapering from a larger size at said rearwardly facing surface to a smaller size at said forwardly facing surface; and,

said back portion of said seat includes an opening extending therethrough complementary in shape to said back insert allowing said back insert to be installed thereon by moving said back insert through said opening in a direction from said rearwardly facing surface toward said forwardly facing surface.

**Claim 13 (original)** A race car driver restraint comprising:

a unitary piece of expanded polypropylene cut to form a driver restraint with a back portion, seat portion and side portions integrally connected together forming a seat, said back portion including a hole extending therethrough;

a back insert removably mounted to said back portion within said hole; and,

a leg separator mounted to said seat portion.

**Claim 14 (original)** The driver restraint of claim 13 wherein:

said leg separator includes a rib extending into said seat portion securing said separator to said seat portion; and

said back insert and said hole are complementarily tapered providing a force fit between said back insert and said seat portion.

**Claim 15 (original)** The driver restraint of claim 14 wherein:

said back insert and said leg separator are expanded polystyrene and are replaced when destroyed during crash.

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**Claim 16 (currently amended)** A restraint for a passenger in a vehicle comprising:

a seat having a seat portion, a back portion and side portions connected together being formed by placing an enclosure of flexible plastic within a vehicle, placing a passenger of the vehicle atop and adjacent said enclosure while in said vehicle, allowing the flexible plastic to form around the passenger forming a plastic restraint, removing the passenger from the vehicle, causing the plastic restraint to harden, removing the plastic restraint from the vehicle, profiling said plastic restraint, and shaping solid plastic in accordance with the profile of the plastic restraint forming a cavity tailored shaped to form fit around a specific passenger of a vehicle limiting motion of the passenger relative to the vehicle, said seat formed from a first type of plastic having resistance to fire and heat and maintaining its shape when subjected to crash conditions; and further comprising a back insert removably mounted to said back portion being replaceable when destroyed during crash, and wherein said back insert is produced from a second type of plastic different from said first type to have greater shock absorption than said first type even though destroyed during crash conditions.

**Claim 17 (previously added)** The restraint of claim 16 wherein said first type of plastic is expanded polypropylene and said second type of plastic is a modified expanded polypropylene.

**Claim 18 (previously added)** The restraint of claim 16 wherein said first type of plastic is expanded polypropylene and said second type of plastic is a modified expanded polypropylene/polystyrene blend.

**Claim 19 (previously added)** The restraint of claim 16 wherein:

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said seat portion, said back portion and said side portions are connected together in a main body produced from said first type of plastic, said back portion includes an opening extending therethrough in which said back insert is mounted therein.

**Claim 20 (previously added)** A restraint for a passenger of a vehicle formed from a scanable profile of the passenger obtained from an enclosure of flexible plastic that has formed and hardened around the passenger positioned on the enclosure creating the scanable profile comprising:

a seat having a seat portion, a back portion and side portions connected together forming a cavity tailored shaped to form fit around a specific passenger of a vehicle limiting motion of the passenger relative to the vehicle, said cavity formed from a scanable profile of the passenger obtained from an enclosure of flexible plastic that has formed and hardened around the passenger positioned on the enclosure, said seat produced from a plastic having resistance to fire and heat and maintaining its shape when subjected to crash conditions.

**Claim 21 (previously added)** The restraint of claim 20 and further comprising:

a back insert removably mounted to said back portion and replaceable when destroyed during crash.

**Claim 22 (previously added)** The restraint of claim 21 wherein:

said seat portion, said back portion and said side portions are connected together in a main body produced from plastic, said back portion includes an opening extending therethrough in which said back insert is mounted therein.

**Claim 23 (new)** A race car driver restraint comprising:

a unitary piece cut to form a driver restraint with a back portion, seat portion and side portions integrally connected together forming a seat, said back portion including a hole extending therethrough;

a back insert removably mounted to said back portion within said hole; and,

a leg separator mounted to said seat portion.

**Claim 24 (new)** The restraint of claim 13 wherein said unity piece is produced from expanded plastic.

**Claim 25 (new)** The restraint of claim 24 wherein said back insert is produced from expanded polystyrene.